

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**YVETTE FELARCA, et al.,**

Plaintiffs,

v.

**ROBERT J. BIRGENEAU, et al.,**

Defendants.

**Case No.: 11-CV-5719 YGR**

**ORDER GRANTING PLAINTIFFS'  
ADMINISTRATIVE MOTION TO SEAL  
(DKT. NO. 286)**

Plaintiffs have moved to seal the following documents, attached to their proposed Fourth Amended Complaint ("4th AC") filed in connection with their Motion For Leave to File Fourth Amended Complaint (Dkt. No. 287):

1. University of California Police Department (UCPD) Operational Plan for November 9, 2011 (Exhibit F to proposed 4th AC);
2. UCPD Operational Plan addendum: excerpts from U.C. Berkeley regulations (Exhibit H to proposed 4th AC);
3. Alameda County Sheriff's Office (ACSO) Incident / Criminal Report (Exhibit G to proposed 4th AC);
4. UCPD Captain Roderick's email to ACSO Lieutenant Madigan (Exhibit I to proposed 4th AC);
5. UCPD Staffing Plan for November 9, 2011 (Exhibit J to proposed 4th AC); and
6. UCPD Use of Less Lethal Force Report by J. Wong (Exhibit K to proposed 4th AC).

1 The documents have been designated as confidential by the U.C.  
2 Defendants and/or by the Alameda County Sheriff's Department Defendants. Their representatives  
3 have filed declarations in support of sealing the documents. With respect to documents (1)-(5), the  
4 declarations indicate that the documents provide information about "police strategy and tactics  
5 which, if it became publicly available, could assist individuals in circumventing legitimate police  
6 activity, resulting in, among other things, endangering police officers and civilians, and escalated  
7 police response, which itself could endanger police officers and civilians." (Dkt. No. 294 at 3; *see*  
8 *also* Dkt. No. 295.) With respect to document (6) above, the declaration indicates that the  
9 document is treated as a confidential personnel record and maintained as confidential within UCPD  
10 and those conducting reviews of police activity that day.


11 The Court finds good cause to seal the documents in connection with this non-dispositive  
12 motion for leave to amend the complaint, based upon the declarations submitted.

13 The motion to seal is **GRANTED**. The documents are **ORDERED SEALED** for purposes of  
14 consideration of the motion in connection with which they were submitted *only*. Should any party  
15 wish to seal portions of the documents in connection with any later motion or trial, the party will  
16 need to make a sufficient showing at that time.

17 This Order terminates Docket No. 286.

18 **IT IS SO ORDERED.**

19 Date: October 3, 2014

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21 YVONNE GONZALEZ ROGERS  
22 UNITED STATES DISTRICT COURT JUDGE  
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